

DETAILED ACTION

Response to Amendment

1. This action is responsive to the amendments and remarks received 16 September 2009. Claims 1 - 3 and 5 - 27 are currently pending.

Claim Objections

2. The objection to claim 9 is hereby withdrawn in view of the amendments and remarks received 16 September 2009.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. The rejections to claims 1 - 3 and 5 - 27 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention are hereby withdrawn in view of the remarks filed 16 September 2009 and also in view of the telephone conversation held between the Examiner and the Attorney of Record, Mr. C. Lamont Whitham (Reg. No. 22,424), on 4 December 2009.

Response to Arguments

5. Applicant's arguments, see Page 21 Lines 6 - 20, filed 16 September 2009, with respect to claims 1, 10 and 19 have been fully considered and are persuasive. The 103 rejections of 16 June 2009 have been withdrawn.

EXAMINER'S AMENDMENT

6. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Michael Whitham (Reg. No. 32,635) on 18 December 2009.

The application has been amended as follows:

- In Claim 19 Line 2 change "when executed by the computer" to --when executed by a computer--.
- In Claim 19 Lines 6 - 7 change "for the reference image of the at least one object" to --for a reference image of at least one object--.

Allowable Subject Matter

7. Claims 1 - 3 and 5 - 27 (now renumbered 1 - 26) are allowed.

8. The following is an examiner's statement of reasons for allowance: the prior art does not anticipate, nor does it suggest, the combination as claimed. Specifically, claims 1, 10 and 19 generate a plurality of pose candidate images from three-dimensional data and calculate a minimum distance between them and a reference image. Then a reference correction coefficient, corresponding to the reference image, corrects one of a minimum distance value and a maximum similarity degree obtained and finally an image comparison step identifies whether a match exists based on one of the corrected minimum distance value and corrected maximum similarity degree. These elements in combination with the remaining elements of their respective claims are neither taught nor suggested by the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ERIC RUSH whose telephone number is (571)270-3017. The examiner can normally be reached on 7:30AM - 5:00PM (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Mehta can be reached on (571) 272-7453. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/E. R./
Examiner, Art Unit 2624

/John B Strege/
Primary Examiner, Art Unit 2624